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7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 EVARISTO GOMEZ,
14 Defendant.

CASE NO. 1:20-CR-00123-DAD-BAM

STIPULATION AND PROTECTIVE ORDER
BETWEEN THE UNITED STATES AND
DEFENDANT EVARISTO GOMEZ

COURT: Hon. Barbara A. McAuliffe

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16 WHEREAS, the discovery in this case contains information relating to the actions of as-yet
17 unindicted co-conspirator(s) ("Protected Information"); and

18 WHEREAS, the parties desire to avoid the unauthorized disclosure or dissemination of this
19 information to anyone not a party to the court proceedings in this matter;

20 The parties agree that entry of a stipulated protective order is appropriate.

21 THEREFORE, Defendant Evaristo Gomez, by and through his counsel of record ("Defense
22 Counsel"), and the United States of America, by and through Assistant United States Attorney Laura D.
23 Withers, hereby agree and stipulate as follows:

24 1. This Court may enter a protective order pursuant to Rule 16(d) of the Federal Rules of
25 Criminal Procedure, and its general supervisory authority.

26 2. This Order pertains to all discovery provided to or made available to Defense Counsel as
27 part of discovery in this case (hereafter, collectively known as "the discovery").

28 3. By signing this Stipulation and Protective Order, Defense Counsel and Defendant agree

not to share any documents that contain Protected Information with anyone other than Defendant, Defense Counsel attorneys, designated defense investigators, and support staff.

4. The discovery and information therein may be used only in connection with the litigation of this case and for no other purpose. The discovery is now and will forever remain the property of the United States of America ("Government"). Defense counsel will return the discovery to the Government at the conclusion of the case after the exhaustion of all direct and collateral appeals.

5. Defense Counsel will store the discovery in a secure place and will use reasonable care to ensure that it is not disclosed to third persons in violation of this agreement.

6. Defense Counsel shall be responsible for advising the Defendant, employees, and other members of the defense team, and defense witnesses of the contents of this Stipulation and Order.

7. In the event that Defendant substitutes counsel, undersigned Defense Counsel agrees to withhold discovery from new counsel unless and until substituted counsel agrees also to be bound by this Order.

IT IS SO STIPULATED.

Dated: August 6, 2020

MCGREGOR W. SCOTT
United States Attorney

By: /s/ Laura D. Withers
LAURA D. WITHERS
Assistant United States Attorney

Dated: August 6, 2020

By: /s/ Melissa B. Baloian
MELISSA B. BALOIAN
Attorney for Defendant
EVARISTO GOMEZ

IT IS SO ORDERED.

Dated: August 6, 2020

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE